

COMMISSION MEETING MINUTES  
May 24, 2011

The Board of Davis County Commissioners met in room 236 of the Davis County Courthouse, Farmington, Utah on May 24 at 10:00 a.m. Members present were Chairman Louenda H. Downs, Commissioner P. Bret Millburn, Commissioner John Petroff, Jr., Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil Attorney Neal Geddes, and Deputy Clerk/Auditor Linda May.

Linda May, Davis County Commission Office, led the Pledge of Allegiance. All were invited to stand and join in.

Notice of  
Award to  
ACME  
Construction  
for Clinton  
Drain Upgrade  
Project

Kirk Schmalz, Davis County Public Works Director, presented the Notice of Award for ACME Construction for Clinton Drain Upgrade Project. They were the successful bidder and it is awarded in the amount of \$991,844.17. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Kirk Schmalz gave a brief report. Farmington Creek has caused some run-off problems near the fairgrounds. Rain events are posing more problems with the ground saturation. The west side of the county and right now specifically Clinton City areas are experiencing some problems with ground water. Rudd Canyon has had a slide due to ground saturation. Commissioner Millburn stated that when it stops raining and gets warm, we will have another problem with the grass and possible fire hazards.

Agreement  
#2011-130  
DigiON24, Inc.  
Software  
Training

Mark Langston, Davis County Information Systems Director, presented agreement #2011-130 with DigiON24, Inc. It is a 90 day software training agreement in which DigiON24 will provide telephone and/or online training sessions for C5 Cardfive Professional. It is a payable of \$395.00. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Megan Hatch, Davis County Legacy Events Fair Coordinator, presented the following two agreements:

Agreement  
#2011-131  
Creative Artists  
Agency for  
Performer  
Tyler Hilton

Agreement #2011-131 with Creative Artists Agency. This is a performance agreement to have Tyler Hilton perform on Friday, August 19<sup>th</sup> at the Davis County Fair. Tyler Hilton is a great musician, who has also appeared in several films and TV shows. He has played Elvis in the 2005 film, “Walk the Line”. He will play a 45 minute acoustic set for the audience. It is a payable of \$2,500.00. This will be a fun addition to the fair and will be free for those attending. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2011-132  
for 101.5 The  
Eagle to do  
Ads for Fair

Agreement #2011-132 with 101.5 The Eagle. This is a sponsor agreement with the radio station. They are the presenting sponsor of the 3<sup>rd</sup> Annual Davis County’s Got Talent. It is a trade for marketing benefits. With the outlined radio advertisements, 101.5 The Eagle will receive banner placement and free rodeo tickets. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2011-133 UT  
Surplus  
Property  
Compliance  
Standards

Kevin Fielding, Davis County Sheriff’s Office, presented agreement #2011-133 with State of Utah Surplus Property. The Plans, Policies and Procedures for the State of Utah 1033 Program must be reviewed and signed off by the governing authority. The purpose of the document is to set forth the terms and conditions which will be binding on the parties to have access to Department of Defense personal property.

Application #2011-134 Farmington City for a Conditional Use & Site Development for Soccer Fields and Buildings

Commissioner Millburn made a motion for the Chairman to sign. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk Auditor.

Tony Thompson, Davis County Planning Office, presented application #2011-134 with Farmington City. The request is to ratify a Conditional Use and Site Development application to Farmington City Planning Commission. The application is for review of the proposed 4 soccer sports fields and a maintenance building with additional public restrooms, also a proposed storage building at the Sheriff’s Office Justice Center. The application was due on May 16, 2011 in order to be placed on the Planning Commission agenda. Commissioner Petroff was available and signed the application on May 16. It is a payable of \$200.00. Commissioner Millburn made a motion to ratify the application. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement #2011-135 United States EPA for Access to Property to Mitigate Plume

Tony Thompson also presented agreement #2011-135 with the United States Environmental Protection Agency along with an agreement for access to the property tax ID 06-034-0070 and #06-034-0071. EPA’s studies at the Bountiful/Woods Cross 5<sup>th</sup> South PCE plume site located in Bountiful, West Bountiful, and Woods Cross, Utah have determined that a tetrachloroethylene (PCE) contaminated groundwater plume (PCE plume) from past dry cleaning operations at 344 South 500 West in Bountiful and extends from the source west under the Holly Refinery property to beyond 1100 West Street in West Bountiful and then under Davis County’s property (tax ID 06-034-0070 and 06-034-0071) at approximately 35 North 1100 West, West Bountiful, Utah.

The EPA has installed a ground water collection and filtering system to clean up this plume. The State of Utah has claims on the water that is extracted and has required the EPA to discharge the water back into the Legacy Preserve to the west. To do this the EPA has crossed the properties with a buried discharge line to a point of discharge into the A1-A5 drain to the west of the properties; the A1-A5 drain will transport the water to the Legacy preserve. The parties involved agree not to sue and the EPA has 50 years to accomplish. There is no cost to the county for the cleanup as it is a superfund project. Commissioner Millburn asked Dave Spence, Davis County Environmental Health, about the plume. He said, “The plume is moving and this seems the best way to do it by having the EPA come in. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Agreement #2011-136 Cementworks Concrete Construction LLC for Concrete work at Bountiful Library

Luke Love, Davis County Facilities Management, agreement #2011-136 with Cementworks Concrete Construction LLC. The company will provide labor and materials to demolish and install 60 lineal feet of sidewalk, curb and gutter, remove balusters and install drain pipe under the sidewalk and into the face of the curb at the Bountiful Library. This with help with the concrete by the book drop. It is a payable of \$4,075.00. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Change Order #2010-311J Mechanical Services Systems for HVAC ATC at Clearfield Library

Marshall Scott, Davis County Facilities Management Director, presented change order #2010-311J with Mechanical Service Systems. It is for the Clearfield Library to change 3 three-way valves for the HVAC ATC upgrades. It is a payable of \$2,246.00. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Summary List #2011-137 for Internet Connections

Summary list #2011-137 for internet connection users to obtain recorder office documents was presented for the following:

- North American Title, LLC  
Froerer & Miles, PC  
The Buyer’s Broker Realty
- DV Brammer & Assoc.  
Kirton & McConkie  
Wasatch Advocates LLC

Rock Winchester Allen – Counselor at Law  
Syn Ex, LLC  
Great Basin Engineering – South

Users with a waived subscription fee:

Office of Recovery Services	Clearfield City
Bountiful City	Woods Cross City
Utah Department of Transportation	West Bountiful City

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Summary List  
#2011-138  
Rental of  
Legacy Events  
Center  
Facilities

Summary list #2011-138 for rental agreements Davis County Legacy Events facilities was presented for the following:

Silvie Stevenson	Shumway Family Youth Conference
Utah Arabian Horse Club	Obedience Dog Training
Arellano Quinceanera	Salt Lake Terrier Association
King Winter Ride	Harmon’s
Track, Train, Run	Canyonlands Canine Association
Snow Basin Ski Education Foundation	BLM Wild Horse & Burro Adoption
Inglesia Apostolica De La Fe En	Ivy Performance Academy
Dog House Group	Hmong Association
Jill Atkinson	Utah Bully Explosion
Kirkland Winter Ride	Quinceanera Hernandez
Adventure Home Stays Aboard	Davis County Clipper
American Martial Arts	Australian Shepherd Club
Rocketeers Square Dance	Edie Practise
Davis County Sheriff Posse	Wasatch American Eskimo Dog

Stall Rentals

Sean Cooreman	Norman Whitaker
Haley Anderson	Astorea Bombardier
Del Jensen	Brandi Cordova
Peggy Flint	Robert Southern
Jeff Wadman	Lorraine Adolf

Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

Commissioner Petroff stated that last weekend and for the next while the horse related events have been cancelled due to an outbreak of equine herpes virus. The Legacy Events Center is taking the State Veterinary advice to restrict horse events. The source of where the virus came from has not been positively identified. The Legacy center has been cleaned and chlorinated. We are taking the necessary precautions.

Steve Rawlings, Davis County Clerk/Auditor, presented the following two budget changes:

Budget Change  
for DCC

Davis Conference Center: Increase line item 18-4192-285 DCC FFE Maintenance and Repair by \$125,000; increase line item 18-4192-285 DCC Club Fahrenheit from FFE 18-4192-285 by \$32,000. The money is from the 18 Tourism Reserve Account. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Budget Change  
for Animal  
Control

Davis County Animal Control: Increase line item 10-3690-252 Revenue by \$2,200 Increase line item 10-4253-230 Travel by \$2,200. A grant award was received from Petsmart for Animal Farm Training Conference. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Document on file in the office of the Davis County Clerk/Auditor.

Property Tax  
Register  
Approval

May Tax Sale  
Minutes

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Petroff seconded the motion. All voted aye.

Ross Bartholomew, Davis County Tax Administration Director, presented the property tax register. There are 63 items (including a quit claim deed for Tax ID #10-70-0088). Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Cheri Mayer, Davis County Tax Administration Office, expressed thanks to everyone who helped with the May Tax Sale. It ran smoothly and quickly. Minutes of the May Tax Sale meeting were given to each commissioner. The request is to approve the minutes and Auditor’s Tax Deeds that will be recorded as reflected below.

MINUTES OF THE 2011 DAVIS COUNTY DELINQUENT PROPERTY TAX SALE  
Held May 18, 2011, at 10:00 A.M. in the Davis Conference Center, 1651 North 700 West, Layton, Utah

**Welcoming:** Jonathan Lee welcomed everyone to the sale for Steve S. Rawlings, explained the process and introduced Bill McGuire as Davis County Chief Deputy Civil Attorney. Cheri Mayer, Davis County Deputy Clerk/Auditor called the 2011 Five Year Delinquent Clerk/Auditor’s Tax Sale to order and explained the rules for the sale and the Utah State Code. Mrs. Mayer also explained that all bids are final, then conducted the sale on the behalf of the Elected Clerk/Auditor Steve S. Rawlings.

**Those present from the County:** Commissioner P. Bret Millburn, Commissioner John Petroff Jr., Steve S. Rawlings Clerk/Auditor, Bill McGuire Chief Deputy Civil Attorney, Neal Geddes, Jonathan Lee, Ross Bartholomew, Cheri Mayer, Diane Law, Mark Altom, Dianne Mark, Nita Millard, Lorelee Dastrup, Richard Maughan, Laile Lomax, Anthony Thompson, Max Elliott, Kyle Corbridge, Dax Teuscher.

**Note:** \*Some properties may have been withdrawn from the sale. The reasons for withdrawal may be that the proper notice has not been given or erroneous legal descriptions have been discovered or duplicate assessments, bankruptcy, deferrals or settlements have been granted by the Davis County Commission.

\*Some properties may be struck to the County or Municipality for public purposes such as being part of a roadway, public easement or a detention basin, or property may be struck to the County due to no bid.

\*Some properties may be identified as preferential sales. These are parcels that have been determined by the County to be sold without competitive bidding. These parcels are generally small and preference is given to the owner of the adjacent and abutting property. In many cases the parcel is already being used by the adjoining property owner.

Parcel	Original Owner	Amount of sale		Name of Purchaser
01-016-0002	North Canyon Ranch Inc.			Struck to County
01-017-0015	North Canyon Ranch Inc.	\$	16,000.00	Bradford Hammond
01-056-0045	Sussex Group LLC	\$	275.78	Preferred sale to: Association of Unit Owners of Eastpointe P.U.D
01-182-0003	MCMJ Investments LLC			Redeemed by Owner
01-244-0106	MCMJ Investments LLC			Redeemed by Owner
01-338-0701	Quinton, Ryan N,			Redeemed by Owner
02-009-0021	Craig and Company Custom Homes LLC	\$	15,200.00	KORE Investments LLC
02-012-0054	Ford Properties Inc.	\$	46.18	Preferred Sale to: Robert & Karen Rosier
02-050-0003	Rockwood, Connie J & Charles			Struck to County
03-032-0045	Richland Inc.			Redeemed by Owner
04-126-0115	Williams, Duffy J			Struck to County
05-034-0007	Mc Caleb, Robert F - ETAL			Redeemed by Owner

06-190-0002	MS-Woods Cross LLC			Redeemed by Owner
07-013-0056	Pointe of View LC	\$	5,901.95	KORE Investments LLC
07-024-0045	Hyde, Tacy B & Robert G			Struck to County
07-056-0065	Elite-Craft Homes LLC			Redeemed by Owner
07-070-0092	Moser, Landon			Redeemed by Owner
07-082-0040	Horizon Mortgage & Insurance Group Inc.			Redeemed by Owner
07-084-0012- 07-276-0202	Randall, Patricia L & Dee A Randall, Patricia L & Dee A			Redeemed by Owner
07-247-0061	Harvey, Jared & Lesli	\$	144.77	Preferred Sale to: Security National Life Insurance Company
08-234-0043	Crockett, Brian			Redeemed by Owner
09-056-0100	Jordan Credit Union			Withdrawn
09-077-0091	Johnston, Lance M and Cwalinski, Jeannie J.			Redeemed by Owner
09-111-0087	Bailey, Randy			Struck to County
09-223-0009	Quail Hollow LLC			Redeemed by Owner
09-223-0010	Quail Hollow LLC			Redeemed by Owner
09-326-0512- 09-346-0512- 09-346-0513	Prince Development LLC Prince Development LLC Barney, Jeremy & Jono			Struck to County
09-326-0512 - 09-346-0512- 09-346-0514	Prince Development LLC Prince Development LLC Wilson, Neldon G & Marlene S	\$	496.73	Ethan Hill
10-005-0051	Creamer, Val R & Kristie A	\$	227.18	Preferred sale to: Blaine S. Bennett
10-070-0088	Haroni Investments			Struck to County
11-002-0074- 11-002-0075- 11-002-0078	Faerber, David M and Ravenberg, Glenn Faerber, David M and Ravenberg, Glenn Faerber, David M and Ravenberg, Glenn			Struck to County
11-002-0074- 11-002-0075- 11-002-0079	Faerber, David M and Ravenberg, Glenn Faerber, David M and Ravenberg, Glenn Faerber, David M and Ravenberg, Glenn	\$	152.94	Preferred Sale to: Richard & Erica Neufeld
11-022-0061	Wideye Investment LLC	\$	722.14	Preferred Sale to: Raymond Truscott
11-107-0070	Wilde, Ryan E			Redeemed by Owner
12-035-0041	Christensen, Jeffrey W & Dorine			Redeemed by Owner

12-042-0090	Spartan Paice Farms LLC	\$	175.40	Preferred Sale to: Larry & Joan Barker
12-051-0052	Pinder, Brian & Christie	\$	174.78	Preferred Sale to: Trevor & April Hales
12-065-0086	Wilcox, Dean William & Merial G	\$	292.00	Preferred Sale to: Con & Jerilyn Wilcox
13-041-0018- 13-041-0119	Wilde, Gregory L Wilde, Gregory L			Redeemed by Owner
13-041-0113- 13-041-0120	Wilde, Gregory L Wilde, Gregory L			Redeemed by Owner
13-057-0038	Investments S A A LLC			Struck to the County
13-091-0025	Harris, Ronald A			Redeemed by Owner
13-263-0020	Thalman, Russell Jay			Withdrawn
14-069-0007	Hooper, Danita and Horizon Mortgage & Inv.			Redeemed by Owner
14-069-0008	Hooper, Danita and Horizon Mortgage & Inv.			Redeemed by Owner
14-210-0012	Southridge Development Corp.	\$	731.43	Preferred Sale to: Robert & Carrie Bateman

**This concluded the 2011 Davis County Clerk/Auditor Delinquent Tax Sale.**

Commissioner Millburn made a motion to accept the May Tax Sale Meeting minutes as presented. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene the regularly scheduled commission meeting. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Millburn made a motion to approve the commission meeting minutes of May 10, 2011. Commissioner Petroff seconded the motion. All voted aye.

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved with a motion from Commissioner Petroff. Commissioner Millburn seconded the motion. All voted aye. Documents on file in the office of the Davis County Clerk/Auditor.

No commission comments.

No public comments.

Meeting adjourned.

Commission Minutes Approved

Check Registers Approved